

## NOTICE TO EMPLOYERS FILING H-2A APPLICATIONS

On December 18, 2008, the Office of the Federal Register published the Department's Final Rule on H-2A Temporary Agricultural Employment. The Final Rule is effective **January 17, 2009**, although certain aspects of the Rule will be subject to transition provisions set forth at 20 CFR 655.100.

**Please be advised that the online H-2A System can no longer be used to prepare applications under the H-2A program as this system only generates the ETA Form 750, Part A, which has been discontinued in its use.**

Transition Filing Procedures: The information below applies to all employers wishing to file H-2A applications under the new regulations on or after January 17, 2009 and where the start date of need is prior to July 1, 2009. The following forms must be submitted directly to the Chicago National Processing Center (NPC) no less than 45 days prior to the start date of need:

1. A completed ETA Form 9142 *Application for Temporary Employment Certification*. In addition, employers must fill out, sign, and date Appendix A.1 and, where multiple crop activities are involved, Appendix A.2
2. A completed ETA Form 790 *Agricultural and Food Processing Clearance Order* and all attachments

Employers are **NOT REQUIRED** to file a copy of these applications simultaneously with the State Workforce Agency serving the area of intended employment. A copy of these forms and general instructions for filing can be obtained from the USDOL-ETA Office of Foreign Labor Certification website at: <http://www.foreignlaborcert.doleta.gov>

Employers should submit all required documents to the Chicago NPC at the following mailing address:

United States Department of Labor  
Employment and Training Administration  
Chicago National Processing Center  
844 N. Rush Street  
12<sup>th</sup> Floor  
Chicago, IL 60611

Please direct any inquiries regarding case processing to the Chicago NPC at (312) 886-8000 or via electronic mail at [TLC.Chicago@dol.gov](mailto:TLC.Chicago@dol.gov)